HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE P. SWAROOP REDDY

WRIT PETITION No.8047 OF 2007

DATE: 04.06.2007

Between:

B.Venkatalakshmamma

..... PETITIONER

AND

The Station House Officer,
Gospadu Mandal,
Allagadda Tank, Kurnool District & another.

.....RESPONDENTS

HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE P. SWAROOP REDDY

WRIT PETITION No.8047 of 2007

ORDER: (Per Hon'ble Sri Justice P. Swaroop Reddy)

As contended by the learned Government Pleader for Home, in the present complaint dated 16.4.2007 it is alleged that the alleged detenu is illegally taken away by police on 10.4.2007 and a prayer is made to take action against the police and do the justice, whereas in the complaint dated 15.4.2007 lodged by the petitioner, it is stated that her husband was missing from 10.4.2007 and action may be taken for tracing him our and on the basis of the said complaint, a case in Crime No.47 of 2007 is registered by P.S. Gospadu.

A copy of FIR in Crime No.47 of 2007 is filed, which shows that the crime was registered on 15.4.2007 on the basis of the complaint made by the petitioner dated 15.4.2007. Though a perusal of the complaint dated 15.4.2007 and the consequent FIR issued by the Police show that there are some corrections in the date and day portion, as far as the contents in the body of the complaint are concerned, there are no corrections. Thus, as per telegram dated 16.4.2007 issued to the Hon'ble the Chief Justice, the petitioner's husband was taken by the police on 10.4.2007; whereas as per the complaint in Cr.No.47 of 2007, the petitioner's husband is missing. Thus it is a clear case of false complaint.

It is also the contention of the learned Government Pleader for Home that the husband of the petitioner is involved in several criminal cases and his presence is required by law enforcement authorities.

In the circumstances, particularly, in view of the fact that complaint is *prima facie* false, the Writ Petition is dismissed. No costs.

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A. GOPAL REDDY, J.

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04th JUNE, 2007 P. SWAROOP REDDY, J.

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